

ORIGINAL



BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

IN THE MATTER OF THE APPLICATION OF
HUALAPAI VALLEY SOLAR LLC, IN
CONFORMANCE WITH THE REQUIREMENTS
OF ARIZONA REVISED STATUTES §§ 40-
360.03 AND 40-360.06, FOR A CERTIFICATE
OF ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF THE HVS
PROJECT, A 340 MW PARABOLIC TROUGH
CONCENTRATING SOLAR THERMAL
GENERATING FACILITY AND AN
ASSOCIATED GEN-TIE LINE
INTERCONNECTING THE GENERATING
FACILITY TO THE EXISTING MEAD-
PHOENIX 500kV TRANSMISSION LINE, THE
MEAD-LIBERTY 345kV TRANSMISSION
LINE OR THE MOENKOPI-EL DORADO
500kV TRANSMISSION LINE.

Docket No.: L-00000NN-09-0541-00151

Case No. 151

**HUALAPAI VALEY SOLAR LLC'S
NOTICE OF FILING PROPOSED
FORM OF CERTIFICATE OF
ENVIRONMENTAL
COMPATIBILITY**

Pursuant to Paragraph 18 of Chairman Foreman's November 25, 2009 Procedural Order,
HUALAPAI VALLEY SOLAR LLC ("HVS"), files a proposed form of Certificate of
Environmental Compatibility, findings of fact, and conclusions of law. (Exhibit 1). Consistent
with Paragraph 20 of the Procedural Order, HVS also files a document showing the previous case
upon which the proposed conditions in Case 151 are based. (Exhibit 2).

Respectfully submitted this 4th day of January, 2010.

Arizona Corporation Commission
DOCKETED

JAN - 4 2010

LEWIS AND ROCA LLP


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40 N. Central Avenue

Phoenix, Arizona 85004

Attorneys for Hualapai Valley Solar LLC

(602) 262-5723 (Tel.)

(602) 734-3841

DOCKETED BY

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

2010 JAN - 4 P 4 38

RECEIVED

1
2 **ORIGINAL** and twenty-five (25) copies
3 of the foregoing filed this 4th day
of January, 2010, with:

4 The Arizona Corporation Commission
5 Utilities Division – Docket Control
6 1200 W. Washington Street
Phoenix, Arizona 85007

7 **COPY** of the foregoing hand delivered
8 or served electronically
9 this 4th day of January, 2010, to:

10 John Foreman, Chairman
11 Arizona Power Plant and Transmission Line Siting Committee
12 Office of the Attorney General
13 PAD/CPA
1275 W. Washington Street
Phoenix, Arizona 85007

14 Janice Alward, Chief Counsel
15 Arizona Corporation Commission
16 1200 W. Washington Street
Phoenix, Arizona 85007

17 Susan A. Moore-Bayer
18 7656 West Abrigo Drive
Golden Valley, Arizona 86413

19 Denise Herring-Bensusan
20 4811 E. Calle Bill
Kingman, Arizona 86409

21 Israel G. Torres
22 Torres Consulting and Law Group LLC
23 209 E. Baseline Road
24 Suite E-102
Tempe, Arizona 85283

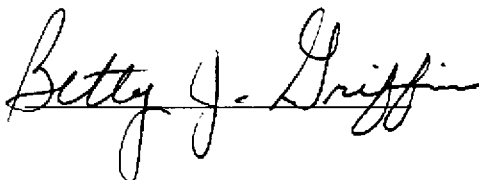
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EXHIBIT A

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**BEFORE THE ARIZONA POWER PLANT AND
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IN THE MATTER OF THE APPLICATION OF
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Docket No.: L-00000NN-09-0541-00151

Case No. 151

13
14

CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY

15 Pursuant to notice given as provided by law, the Arizona Power Plant and Transmission
16 Line Siting Committee (the "Committee") held a public hearing on January 12 through January
17 14, 2009, in Kingman, Arizona, in conformance with the requirements of Arizona Revised
18 Statutes ("A.R.S.") §§40-360, *et seq.*, for the purpose of receiving evidence and deliberating on
19 the Application of Hualapai Valley Solar LLC ("Applicant") for a Certificate of Environmental
20 Compatibility ("Certificate") in the above-captioned case (the "Project").

21 The following members and designees of members of the Committee were present at one
22 or more of the hearing days for the evidentiary presentations and for the deliberations:

23 John Foreman	Chairman, Designee for Arizona Attorney General, Terry Goddard
24 Paul Rasmussen	Designee for Director, Arizona 25 Department of Environmental Quality

26

1	David Eberhart	Designee for Chairman, Arizona Corporation Commission
2	Jessica Youle	Designee for Director, Energy Office, Arizona Department of Commerce
3	Greg Houtz	Designee for Director, Arizona Department of Water Resources
4	Jeff McGuire	Appointed Member
5	William Mundell	Appointed Member
6	Patricia Noland	Appointed Member
7	Michael Palmer	Appointed Member
8	Michael Whalen	Appointed Member
9	Barry Wong	Appointed Member
10		
11		

12 The Applicant was represented by Thomas H. Campbell and Albert H. Acken, of the law
 13 firm of Lewis and Roca LLP. Denise Herring-Bensusan and Susan A. Moore-Bayer requested
 14 intervention in this proceeding.

15 At the conclusion of the hearings, the Committee, having received the Application, the
 16 appearances of the parties, the evidence, testimony and exhibits presented at the hearings, and
 17 being advised of the legal requirements of A.R.S. §§40-360 to 40-360.13, upon motion duly made
 18 and seconded, voted _____ to grant the Applicant this Certificate of Environmental Compatibility
 19 (Case No. 151) for the Project as set forth in the Application.

20 The Project consists of an up to 340 MW concentrated solar power ("CSP") generating
 21 facility, with biofuel, light fuel oil or natural gas co-firing, and a 345kV or 500kV transmission
 22 line (the "Gen-Tie"). The Project is located in Mohave County, approximately 27 miles north of
 23 Kingman, Arizona, and 80 miles southeast of Las Vegas, Nevada. The generating facility is
 24 located entirely on private land in Sections 19, 20, 21, 28, 29, 30, and the north half of Section 31
 25 all within Township 26 North, Range 16 West, Gila and Salt River Baseline and Meridian.
 26

1 The Gen-Tie will interconnect the CSP generating facility (and/or a photovoltaic
2 generating facility built on the site approved for the CSP generating facility) to the regional
3 transmission grid using one of two approved alignments:

4 Interconnection #1 Gen-Tie alignment, located entirely in Township 26 North, Range 16
5 West, runs from the generating facility's power block to the property boundary; then north for
6 1.25 miles within a 1320-foot wide corridor from the property boundary along the east boundary
7 of Section 17 and Section 08; then north for 1.25 miles within a 1320-foot wide corridor along the
8 west boundary of Section 16 and Section 09 until it reaches the north boundary of Section 09; then
9 east for about 0.75 miles within a 1320-foot wide corridor along the north boundary of Section 09
10 until it reaches the termination in the northeast corner of Section 09. Interconnection #1 is
11 approximately 2.75 miles in length from the generating facility property boundary.

12 Interconnection #2 Gen-Tie alignment runs from the generating facility's power block to
13 the property boundary; then north for 1.25 miles within a 1320-foot wide corridor from the
14 property boundary along the east boundary of Section 17 and Section 08 ; then north for 1.25
15 miles within a 1320-foot wide corridor along the west boundary of Section 16 and Section 09 until
16 it reaches the north boundary of Section 09; then north for one mile within a 1320-foot wide
17 corridor through Section 04 until it reaches the west boundary of the existing Mead-Liberty
18 345kV transmission line corridor, which it will parallel on a generally northwest heading; from
19 there it will run within a 2640-foot wide corridor measured from the centerline of the Mead-
20 Liberty 345kV transmission line west of and parallel to the existing transmission line for
21 approximately 3.5 miles, going through the northeast corner of Section 05 in Township 26 North,
22 Range 16 West; through Sections 32, 31, and 30 in Township 27 North, Range 16 West ; through
23 Sections 25 and 24 in Township 27 North, Range 17 West; and terminate in Section 23 in
24 Township 27 North, Range 17 West. Interconnection #2 is approximately 6.5 miles in length
25 from the property boundary.

1 The transmission structure heights will not exceed 199 feet and will occupy a right of way
2 ("ROW") width up to a maximum of 200 feet.

3 A general location map of the Project is set forth in **Exhibit A**.

4 **CONDITIONS**

5 This Certificate is granted upon the following conditions:

6 1. The conditions shall apply to the Applicant, its successor(s), and assignee(s).

7 2. The Applicant shall obtain all approvals and permits required by the United States,
8 the State of Arizona, the County of Mohave, and any other governmental entities having
9 jurisdiction necessary to construct the Project.

10 3. The Applicant shall comply with all existing applicable statutes, ordinances, master
11 plans and regulations of the State of Arizona, the County of Mohave, the United States, and any
12 other governmental entities having jurisdiction, including but not limited to the following:

13 (a) all applicable land use regulations;

14 (b) all applicable zoning stipulations and conditions, including but not limited to
15 landscaping and dust control requirements;

16 (c) all applicable water use, discharge and/or disposal requirements of the Arizona
17 Department of Water Resources and the Arizona Department of Environmental
Quality;

18 (d) all applicable noise control standards;

19 (e) all applicable regulations and permits governing storage and handling of chemicals
20 and petroleum products;

21 (f) all other applicable federal and state regulations and standards.

22 4. Applicant may utilize groundwater for electrical generation and related uses
23 associated with construction and commercial operation of the Project. The Applicant shall make
24 good faith efforts to acquire effluent from the City of Kingman to meet a majority of the water
25 needs for the Project.
26

1 5. If any archaeological, paleontological or historical site or object that is at least fifty
2 years old is discovered on state, county or municipal land during the construction or operation of
3 the solar generating facility and transmission line, the Applicant or its representative in charge
4 shall promptly report the discovery to the Director of the Arizona State Museum, and in
5 consultation with the Director, shall immediately take all reasonable steps to secure and maintain
6 the preservation of the discovery as required by A.R.S. § 41-844.

7 6. If human remains and/or funerary objects are encountered on private land during
8 the course of any ground-disturbing activities relating to the construction or operation of the solar
9 generating facility and transmission line, the Applicant shall cease work on the affected area of
10 the Project and notify the Director of the Arizona State Museum as required by A.R.S. § 41-865.

11 7. The Applicant shall comply with the notice and salvage requirements of the
12 Arizona Native Plant Law (A.R.S. §§ 3-901 *et seq.*) and shall, to the extent feasible, minimize the
13 destruction of native plants during the construction and operation of the solar generating facility
14 and transmission line.

15 8. This authorization to construct this Project (which may be constructed in two
16 phases) shall expire unless the solar generating facility and transmission line is capable of
17 operation within seven years from the date the Certificate is approved by the Commission.
18 However, prior to expiration, the Applicant may request that the Commission extend this time
19 limitation.

20 9. In the event that the Project requires an extension of the term of this Certificate
21 prior to completion of construction, Applicant shall use reasonable means to notify all landowners
22 and residents within one mile of the Project corridor as depicted on Exhibit A, all persons who
23 made public comment at this proceeding, and all parties to this proceeding of the request and the
24 date, time and place of the hearing in which the Commission will consider the request for
25 extension.

1 10. The Applicant shall make every reasonable effort to identify and correct, on a case-
2 specific basis, all complaints of interference with radio or television signals from operation of the
3 transmission lines and related facilities addressed in this Certificate. The Applicant shall maintain
4 written records for a period of five years of all complaints of radio or television interference
5 attributable to operation, together with the corrective action taken in response to each complaint.
6 All complaints shall be recorded to include notations on the corrective action taken. Complaints
7 not leading to a specific action or for which there was no resolution shall be noted and explained.
8 Upon request, the written records shall be provided to the Staff of the Commission.

9 11. Within 120 days of the Commission decision granting this Certificate, Applicant
10 will post a sign at the plant site. The sign shall be no smaller than a normal roadway sign and
11 shall advise:

- 12 (a) That the site has been approved for the construction of Project facilities;
- 13 (b) The expected date of completion of the Project facilities;
- 14 (c) A phone number for public information regarding the Project;
- 15 (d) The name of the Project;
- 16 (e) The name of the Applicant; and
- 17 (f) The website of the Project.

18 12. Applicant shall design the transmission line to incorporate reasonable measures to
19 minimize impacts to raptors.

20 13. Applicant shall use non-specular conductor and non-reflective surfaces for
21 transmission line structures.

22 14. Before construction on this Project may commence, the Applicant shall file a
23 construction mitigation and restoration plan ("Plan") with ACC Docket Control. Where
24 practicable, the Plan shall specify the Applicant's plans for construction access and methods to
25 minimize impacts to wildlife and to minimize vegetation disturbance outside of the Project right-
26 of-way particularly in drainage channels and along stream banks. Applicant shall re-vegetate,
unless waived by the landowner, native areas of construction disturbance to its preconstruction
state outside of the power-line right of way after construction has been completed. The Plan shall

1 specify the Applicant's plans for coordination with the Arizona Game and Fish Department and
2 the State Historic Preservation Office. The Applicant shall use existing roads for construction and
3 access where practicable and the Plan shall specify the manner in which the applicant makes use
4 of existing roads.

5 15. Applicant shall follow regulatory requirements of the Arizona Game and Fish
6 Department of the United States Fish and Wildlife Service for handling contacts during the
7 construction and operation of the Project with any species designated as endangered. Applicant
8 also shall follow regulatory requirements for handling contacts with any species of greatest
9 conservation need as designated by the Arizona Game and Fish Department. If no regulatory
10 requirements exist, the Applicant shall use reasonable care to avoid any harm to individuals of the
11 designated species. If the avoidance of harm to individuals is not possible, the Applicant shall
12 contact the Arizona Game and Fish Department and the United States Fish and Wildlife Service to
13 obtain any appropriate permits and guidance for removing the individual members of the species
14 contacted from the area of the Project.

15 16. With respect to the Project, Applicant shall participate in good faith in state and
16 regional transmission study forums to coordinate transmission expansion plans related to the
17 Project and to resolve transmission constraints in a timely manner.

18 17. The Applicant shall provide copies of this Certificate to the Mohave County
19 Planning Department, the City of Kingman, the Arizona State Land Department, the State Historic
20 Preservation Office, and the Arizona Game and Fish Department.

21 18. Prior to the date construction commences on this Project, the Applicant shall
22 provide known homebuilders and developers within one mile of the center line of the Certificated
23 route and solar facility, the identify, location, and a pictorial depiction of the type of power line
24 and solar facility being constructed, accompanies by a written description, and encourage the
25 developers and homebuilders to include this information in the developers' and homebuilders'
26 homeowners' disclosure statements.

1 19. Applicant will follow the most current Western Electricity Coordinating
2 Council/North American Electric Reliability Corporation Planning standards as approved by the
3 Federal Energy Regulatory Commission, and National Electrical Safety Code construction
4 standards.

5 20. The Applicant shall submit a self-certification letter annually, identifying progress
6 made with respect to each condition contained in the Certificate, including which conditions have
7 been met. Each letter shall be submitted to the docket control of the Arizona Corporation
8 Commission by December 1, 2010, and annually thereafter. Attached to each certification letter
9 shall be documentation explaining how compliance with each condition was achieved. Copies of
10 each letter along with the corresponding documentation shall be submitted to the Arizona
11 Attorney General and Department of Commerce Energy Office. The requirement for the self-
12 certification shall expire on the date the Project is placed into operation.

13 21. Within sixty (60) days of the Commission decision granting this Certificate, the
14 Applicant shall make good faith efforts to commence discussions with private landowners, on
15 whose property the Project corridor is located, to identify the specific location for the Project
16 right-of-way and placement of poles.

17 22. The Applicant shall expeditiously pursue reasonable efforts to work with private
18 landowners on whose property the Project right-of-way will be located, to mitigate the impacts of
19 the location, construction, and operation of the Project on private land.

20 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

21 This Certificate incorporates the following findings of fact and conclusions of law:

22 1. The Project aids the state in meeting the need for an adequate, economical and
23 reliable supply of renewable electric power.

24 2. The conditions placed on the Project in the Certificate by the Committee
25 effectively minimize the impact of the Project on the environment and ecology of the state.

3. The Project is in the public interest because the Project's contribution to meeting the need for an adequate, economical and reliable supply of renewable electric power outweighs the minimized impact of the Project on the environment and ecology of the state.

DATED this _____ day of _____ 2010.

THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING COMMITTEE

John Foreman, Chairman

EXHIBIT B

CONDITIONS (Case 1501)

This Certificate is granted upon the following conditions:

~~1.-1.~~ The conditions shall apply to the Applicant, its successor(s), and assignee(s).

2. The Applicant shall obtain all approvals and permits required by the United States, the State of Arizona, the County of ~~Maricopa~~Mohave, and any other governmental entities having jurisdiction necessary to construct the Project.

3. The Applicant shall comply with all existing applicable statutes, ordinances, master plans and regulations of the State of Arizona, the County of ~~Maricopa~~Mohave, the United States, and any other governmental entities having jurisdiction, including but not limited to the following:

- (a) all applicable land use regulations;
- (b) all applicable zoning stipulations and conditions, including but not limited to landscaping and dust control requirements;
- (c) all applicable water use, discharge and/or disposal requirements of the Arizona Department of Water Resources and the Arizona Department of Environmental Quality;
- (d) all applicable noise control standards;
- (e) all applicable regulations and permits governing storage and handling of chemicals and petroleum products;
- (f) all other applicable federal and state regulations and standards.

4. ~~During commercial operation~~ Applicant may utilize groundwater for solar electrical generation and related uses associated with construction and commercial operation of the Project pursuant to an application to the Arizona Department of Water Resources under ARS § 45-440. ~~The total water use from groundwater and other sources shall not exceed 3000 acre-feet per year for a 290 MW plant, and proportionally less for a smaller plant or phase. Prior to the commencement of commercial operation, Applicant will file with Commission Docket control, with the Department of Environmental quality, and with the~~

~~Department of Water Resources, a letter confirming that Applicant has secured both an adequate supply of water to produce the rated power of the plant or phase being placed in operation using CSP parabolic trough technology with thermal storage, and a legal right to use the water needed for the purpose of construction and commercial operation of the Project. This provision applies only to the use of groundwater for non-agricultural purposes, and only becomes applicable to each segment of subject property as land is retired from agriculture upon commencement of construction of each phase of the project. This provision does not limit use of groundwater for agricultural purposes prior to commencement of construction or following decommissioning. The Applicant shall make good faith efforts to acquire effluent from the City of Kingman to meet a majority of the water needs for the Project.~~

5. ~~Applicant shall enter into a land subsidence monitoring agreement with the Arizona Department of Water Resources.~~6. —If any archaeological, paleontological or historical site or object that is at least fifty years old is discovered on state, county or municipal land during the construction or operation of the solar generating facility and transmission line, the Applicant or its representative in charge shall promptly report the discovery to the Director of the Arizona State Museum, and in consultation with the Director, shall immediately take all reasonable steps to secure and maintain the preservation of the discovery as required by A.R.S. § 41-844.

76. If human remains and/or funerary objects are encountered on private land during the course of any ground-disturbing activities relating to the construction or operation of the solar generating facility and transmission line, the Applicant shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum as required by A.R.S. § 41-865.

87. The Applicant shall comply with the notice and salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901 *et seq.*) and shall, to the extent feasible, minimize the

destruction of native plants during the construction and operation of the solar generating facility and transmission line.

98. This authorization to construct this Project (which may be constructed in two phases) shall expire unless the solar generating facility and transmission line is capable of operation within seven years from the date the Certificate is approved by the Commission. However, prior to expiration, the Applicant may request that the Commission extend this time limitation.

109. In the event that the Project requires an extension of the term of this Certificate prior to completion of construction, Applicant shall use reasonable means to notify all landowners and residents within one mile of the Project corridor as depicted on Exhibit A, all persons who made public comment at this proceeding, and all parties to this proceeding of the request and the date, time and place of the hearing in which the Commission will consider the request for extension.

140. The Applicant shall make every reasonable effort to identify and correct, on a case-specific basis, all complaints of interference with radio or television signals from operation of the transmission lines and related facilities addressed in this Certificate. The Applicant shall maintain written records for a period of five years of all complaints of radio or television interference attributable to operation, together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution shall be noted and explained. Upon request, the written records shall be provided to the Staff of the Commission.

121. Within 120 days of the Commission decision granting this Certificate, Applicant will post signs in public rights-of-way giving notice of the Project corridor to the extent authorized by law. The Applicant shall place signs in prominent locations at reasonable intervals such that the public is notified along the full length of the transmission line until

~~the transmission structures are constructed. To the extent practicable, within 45 days of securing easement or right-of-way for the Project, the Applicant shall erect and maintain signs providing public notice that the property is the site of a future transmission line. Such signage~~a sign at the plant site. The sign shall be no smaller than a normal roadway sign-
The signs and shall advise:

- (a) That the site has been approved for the construction of Project facilities;
- (b) The expected date of completion of the Project facilities;
- (c) A phone number for public information regarding the Project;
- (d) The name of the Project;
- (e) The name of the Applicant; and
- (f) The website of the Project.

~~13-12.~~12. Applicant shall design the transmission ~~lines~~line to incorporate reasonable measures to minimize impacts to raptors.

~~14-13.~~13. Applicant shall use non-specular conductor and non-reflective surfaces for transmission line structures.

~~154.~~154. Before construction on this Project may commence, the Applicant shall file a construction mitigation and restoration plan ("Plan") with ACC Docket Control. Where practicable, the Plan shall specify the Applicant's plans for construction access and methods to minimize impacts to wildlife and to minimize vegetation disturbance outside of the Project right-of-way particularly in drainage channels and along stream banks, ~~and, Applicant shall re-vegetate, unless waived by the landowner, native areas of construction disturbance to its preconstruction state outside of the power-line right of way after construction has been completed. The Plan shall specify the Applicant's plans for coordination with the Arizona Game and Fish Department and the State Historic Preservation Office. The Applicant shall use existing roads for construction and access where practicable and the Plan shall specify the manner in which the applicant makes use of existing roads.~~

~~165.~~ Applicant shall follow ~~any published guidelines adopted by regulatory~~ requirements of the Arizona Game and Fish Department of the United States Fish and Wildlife Service for handling contacts during the construction and operation of the Project with any species designated as endangered. Applicant also shall follow ~~any published and adopted~~ guidelines regulatory requirements for handling contacts with any species of greatest conservation need as designated by the Arizona Game and Fish Department. If no ~~published and adopted~~ guidelines regulatory requirements exist, the Applicant shall use reasonable care to avoid any harm to individuals of the designated species. If the avoidance of harm to individuals is not possible, the Applicant shall contact the Arizona Game and Fish Department and the United States Fish and Wildlife Service to obtain any *appropriate permits and guidance for removing the individual members of the species contacted from the area of the Project.*

~~176.~~ With respect to the Project, Applicant shall participate in good faith in state and regional transmission study forums to coordinate transmission expansion plans related to the Project and to resolve transmission constraints in a timely manner.

~~18-17.~~ The Applicant shall provide copies of this Certificate to ~~appropriate city, town and county planning agencies, mayors and town councils, W Harquahala, LLC~~ the Mohave County Planning Department, the City of Kingman, the Arizona State Land Department, the State Historic Preservation Office, and the Arizona Game and Fish Department.

~~19-18.~~ Prior to the date construction commences on this Project, the Applicant shall provide known homebuilders and developers within one mile of the center line of the Certificated route and solar facility, the identify, location, and a pictorial depiction of the type of power line and solar facility being constructed, accompanies by a written description, and encourage the developers and homebuilders to include this information in the developers' and homebuilders' homeowners' disclosure statements.

~~20.~~ 19. Applicant will follow the most current Western Electricity Coordinating Council/North American Electric Reliability Corporation Planning standards as approved by the Federal Energy Regulatory Commission, and National Electrical Safety Code construction standards.

~~24.~~ 20. The Applicant shall submit a self-certification letter annually, identifying progress made with respect to each condition contained in the Certificate, including which conditions have been met. Each letter shall be submitted to the docket control of the Arizona Corporation Commission by ~~May~~ December 1, 2010, and annually thereafter. Attached to each certification letter shall be documentation explaining how compliance with each condition was achieved. Copies of each letter along with the corresponding documentation shall be submitted to the Arizona Attorney General and Department of Commerce Energy Office. The requirement for the self-certification shall expire on the date the Project is placed into operation.

~~22.~~ 21. Within sixty (60) days of the Commission decision granting this Certificate, the Applicant shall make good faith efforts to commence discussions with private landowners, on whose property the Project corridor is located, to identify the specific location for the ~~project's~~ Project right-of-way and placement of poles.

~~23.~~ 22. The Applicant shall expeditiously pursue reasonable efforts to work with private landowners on whose property the Project right-of-way will be located, to mitigate the impacts of the location, construction, and operation of the Project on private land.